

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH.

F.A.O. NO. 851 OF 2006

DATE OF DECISION: January 12, 2007.

Parties Name
Oriental Insurance Co. Ltd.

..APPELLANT

VERSUS
Smt. Rukmani and others

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASBIR SINGH
HON'BLE MR. JUSTICE BALDEV SINGH

PRESENT: Mr. Sunil Pawar, Adv., for Mr. Amit Rawal,
Advocate, for the appellant.

Mr. Vikas Kumar, Advocate, for
respondents No. 1 and 2.

Mr. Rajesh Sharma, Advocate,
for respondent No. 3.

JASBIR SINGH, J. (oral)

Order.

Appellant is the Insurance Company. This appeal has been filed against the award, passed by the Motor Accidents Claims Tribunal, Faridabad, on November 29, 2005. Admittedly, the Insurance Co. has not filed any application under Section 170 of the Motor Vehicles Act, 1988 (for short the Act). During arguments, an attempt has been made to lay challenge to the award by stating that the quantum of compensation awarded is on the higher side. As the Insurance Co. has not filed any application under Section 170 of the Act, the Company cannot lay challenge to the award regarding quantum of compensation. Deceased was a young boy of 20 years of age, studying in B.A. Part II. By taking his notional

income at the rate of Rs. 15,000/- per annum, the Tribunal, after deducting 1/3rd amount towards personal spending of the deceased, has granted an amount of Rs. 1,54,500/- towards compensation by applying multiplier of 15 only. We feel that the amount granted is rather on the lower side. No case is made out for interference. Dismissed.

(Jasbir Singh)
Judge

January 12, 2007.
DKC

(Baldev Singh)
Judge